

10/575491

IAP9 Rec'd PCT/PTO 12 APR 2006

Att'y Dkt. No.: 358275.20028
U.S. App. No.: To Be Assigned

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MATSUNAGA, et al

Appl. No.: To Be Assigned

Filing Date: April 12, 2006

Art Unit:

Examiner:

Atty. Docket: 358275.20028

Title: Novel Glycoprotein and Pharmaceutical Composition Containing the Same

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
Alexandria, VA 22314

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

☐2. The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

☐a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐c. Attached is our check no. _____ in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicants hereby petition that the Information Disclosure Statement be considered. Attached is our check no. _____ in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

☐a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information on this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☒4. Relevance of the non-English language document(s) is discussed in the present specification. See page 2 of the specification of the present application.

☒5. The document(s) was/were cited in a corresponding foreign application. ☒ A copy of a search report issued in the foreign application is attached. ☒ An English language version of the foreign search report is attached for the Examiner's information. M.P.E.P. § 609 (A)(3).

☐6. A concise explanation of the relevance of the non-English language document(s) ☐ is attached hereto or ☐ appears below.

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- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. Other: _____.


It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0622

Respectfully submitted,

REED SMITH LLP

By:


Mark R. Shanks
Reg. No. 33,781

Date: April 12, 2006

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Form PTO 1449 U.S. Department of Commerce Patent and Trademark Office Information Disclosure Statement by Applicant	ATTY. DOCKET NUMBER 358275.20028	SERIAL NUMBER To Be Assigned
	APPLICANT MATSUNAGA, et. al.	
	FILING DATE April 11, 2006	GROUP

U.S. Patent Documents

Examiner Initial	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	5,302,699A	12/04/1994	Kawamura, et al.			22/01/1993
	2003/0180901A1	25/09/2003	Matsunaga			10/10/2001
	2004/0126393A1	01/07/2004	Suzuki, et al.			30/10/2003
	2004/0126392A1	01/07/2004	Matsunaga			30/10/2003
	2005/0147619A1	07/07/2005	Ebina, et al.			24/02/2003
	2003/0044424A1	06/03/2003	Matsunaga			28/12/2000

Foreign Patent Documents

Examiner Initial	DOCUMENT NUMBER	FILING DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
						YES	NO
	53-141720	18/11/1978	Japan			Abstract	X

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

	International Search Report for PCT/JP2004/015057
EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant	

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